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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,419	12/19/2000	Andre C. Seznec	1662-25000JMH (POO-3078)	9553
23505	7590	11/17/2003	EXAMINER	
CONLEY ROSE, P.C. P. O. BOX 3267 HOUSTON, TX 77253-3267			PAN, DANIEL H	
			ART UNIT	PAPER NUMBER
			2183	
			DATE MAILED: 11/17/2003	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

09/740,419

Applicant(s)

SEZNEC ET AL.

Examin r

pan

Art Unit

2183

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 19 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22 and 23 is/are allowed.
- 6) ☒ Claim(s) 1-4,6,11-15 and 17 is/are rejected.
- 7) ☒ Claim(s) 5,7-10,16 and 18-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. Claims 1-23 are presented for examination.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4,6,11-15,17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tran (5,875,324) in view of Nair et al. (5,890,013).

As to claims 1, 11, 12, Tran disclosed a system including at least :

- a) a processor (see fig.1);
- b) a system memory (fig.1 [system memory]);
- c) input device (not explicitly shown);
- d) a branch predictor (branch predictor), including a multi-bank prediction array (see fig.2 [255], fig.52 for memory banks), including a bank control logic coupled the prediction array to ensure that two accesses to the prediction array did not conflict (e.g. see col.189, lines 50-67, col.190, lines 1-29, lines 66-67, col.191, lines 1-4).

3. Tran did not specifically teach his memory bank was a single-ported as claimed. Instead, Tran disclosed a dual ported memory array (e.g.. see col.190, lines 66-67, col.191, lines 1-25). The memory banks were not shown to be single-ported. However, Nair disclosed a memory system including a plurality of memory banks, each was a single-ported bank (e.g. see col.3, lines 39-46). It would have been obvious to one of ordinary skill in the art to use Nair in Tran for including the single ported

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memory bank as claimed because the sue of Nair could provide Tran the control capability to accept specific access request (such as Read and Write) at a given memory portion based on a predefined sequence of adjusted latency , and therefore, minimizing the circuit space of the memory, and it could be readily achieved by configuring the single-ported memory banks of Nair into Tran with the modified control parameters (e.g. the I/O ports and the port width) so that the single-ported memory banks of Nair could be recognized by Tran, and because Tran also taught the advantage of using a single ported array over the dual ported array (e.g. see col.10, lines 37-40), which was a suggestion of the applicability of the single port into the memory banks as well because one of ordinary skill in the art should be able to recognize the advantage of using a single port of a memory would not be changed regardless of the type of the memory units (e.g. array, bank, cell, segment etc.), and for the above reasons , provided a motivation.

4. As to claims 2,13, Tran also fetched at least two slot of instructions in one cycle (see 32 k bytes of instruction in 16 bytes each fetched in col.5, lines 61-67, col.6, lines 14).

5. As to claims 3,14, Tran also included a multiplexer (e.g. see the selector in col.191, lines 1-10).

6. As to claims 4,15, Tran also determined an index value (e.g. see the index in col.191, lines 1-34).

7. As to claims 6,17, Tran also used 2 bits to be a bank number (see the bits 4:2 selection in col.191, lines 3-5).

8. Claims 5,16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. None of the prior art of record further teaches the bank identifier for the conditional branch that was different than the bank identifier for a conditional branch that was last used. Tran disclosed bank identifier (bank0-bank7), but it did not teach the determination of the difference of the bank identifier of the last used to access the prediction array.

9. Claims 7-9 , 18-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. None of the prior art of record further teaches the comparison of the two bits value with the last used bank number.

10. Claims 10, 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. None of the prior art of record further teaches the pair of the 4-1 mux from the output of the single ported bank. Tran had a multiplexer (selector) , but it was neither a 4-1 mux nor a pair of 4-1 mux.

11. Claims 22,23 are allowable over the art of record. None of the prior art of record teaches the use of the two bits as current bank number if the previous bank number differs, and the change of the bank number if the previous bank number is equal for a conditional branch to access the prediction array .

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

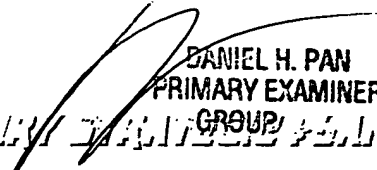
a) Abramson et al. (5,664,137) is cited for the background teaching of the determination of the conflict in bank number using two bits (col.15, lines 15-25). However, it failed to teach the specific features of the use of the two bits as current bank number if the previous bank number differs, and the change of the bank number if the previous bank number is equal for a conditional branch to access the prediction array .

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dan Pan whose telephone number is 703 305 9696. The examiner can normally be reached on M-F from 8:00 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chan, can be reached on 703 305 9712. The fax phone number for the organization where this application or proceeding is assigned are

- a) before final 703 746 7239;
- b) after final 703 746 7238;
- c) Customer Service 703 746 7240.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305 3900.


DANIEL H. PAN
PRIMARY EXAMINER
GROUP
21 CENTURY FINANCIAL

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